

Release  
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**SUMMARY OF CASES ACCEPTED  
DURING THE WEEK OF NOVEMBER 24, 1997**

[This news release is issued to inform the bar and the public of cases that the Supreme Court has accepted and of their general subject matter. The description or descriptions set out below do not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

#97-180 People v. Anderson, S064469. (B100991.) Unpublished opinion. Petition for review after the Court of Appeal reversed judgments of conviction of a criminal offense. This case presents an issue, concerning a defendant's entitlement to instructions on related but non-included crimes, which is related to an issue before the court in People v. Birks, S057191. (See #97-3.)

#97-181 People v. Castellanos, S064388. (B102750.) Unpublished opinion. Petition for review after the Court of Appeal modified and affirmed a judgment of conviction of criminal offenses. This case is concerned with whether a requirement of registration as a sex offender is punishment for purposes of ex post facto analysis.

#97-182 People v. Martinez, S064558. (D025750; 57 Cal.App.4th 166.) Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense. This case presents a variety of issues concerning the state and federal constitutional rights to speedy trial.

#97-183 People v. Quinn, S064585. (B104948.) Unpublished opinion. Petition for review after the Court of Appeal modified and affirmed a judgment of conviction of a criminal offense. This case is concerned with the standards for the

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exercise of trial court discretion to dismiss “strikes” in furtherance of justice which is related to an issue before the court in People v. Williams, S057534. (See #97-44.)

#97-184 Jones v. City of Berkeley Rent Stabilization Bd, S064321. (A074359.) Unpublished opinion. Petition for review after the Court of Appeal affirmed a judgment on the pleadings in a civil action. This case presents an issue, concerning whether a landlord may establish that a rent control ordinance constitutes a regulatory taking because the ordinance fails to accomplish its stated purpose, which is related to an issue before the court in Santa Monica Beach Ltd. v. Superior Court, S052824. (See #96-74.)

## **STATUS**

#95-100 People v. Hernandez, S047306. In this case, which has been held for People v. Monge, 16 Cal.4th 826, the court ordered further briefing on the application of the principles of Monge to a situation in which the primary issues at the sentencing trial have concerned one of the current offenses rather than a prior offense.

#96-74 Santa Monica Beach Ltd. v. Superior Court, S052824. The court ordered briefing proceed in this case which was originally held for Kavanau v. Santa Monica Rent Control Bd, 16 Cal.4th 761, and presents an issue concerning whether a landlord may establish that a rent control ordinance constitutes a regulatory taking because the ordinance fails to accomplish its stated purpose.

## **DISPOSITIONS**

The following cases were dismissed and remanded to the Court of Appeal:

#97-90 Planning and Conservation League v. Department of Fish & Game, S061521.

#97-118 People v. Cole, S061917.

The following cases were transferred to the Court of Appeal for reconsideration in light of People v. Monge, 16 Cal.4th 826:

#96-38 People v. Malone, S051686.

#96-174 People v. Branson, S056911.

#97-18 People v. Holiday, S057405.

#97-59 People v. Hernandez, S058982.

#97-83 People v. Houck, S060507.

#97-84 People v. Houck, S061326.

#97-91 People v. Valencia, S060707.

#97-103 People v. Montoya, S061432

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